



# NEWS RELEASE

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## Summary of Cases Accepted During the Week of June 13, 2005

*[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]*

**#05-136 *People v. Mayzes, S133848.*** (A106553; unpublished opinion; Marin County Superior Court; SC132695.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of a criminal offense.

**#05-137 *People v. Perez, S133893.*** (B166034; unpublished opinion; Los Angeles County Superior Court; BA226514.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of a criminal offense.

**#05-138 *People v. Sandoval, S133787.*** (B173406; unpublished opinion; Los Angeles County Superior Court; KA050723.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses.

**#05-139 *People v. Thomas, S133067.*** (B169300; 127 Cal.App.4th 368; Los Angeles County Superior Court; MA024801.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Mayzes, Perez, Sandoval, and Thomas* deferred pending decision in *People v. Black, S126182 (#04-83)* and *People v. Towne, S125677 (#04-75)*, which include the following issues: (1) Does *Blakely v. Washington* (2004) 542 U.S. \_\_\_, 124 S.Ct. 2531,

(over)

preclude a trial court from making findings on aggravating factors in support of an upper term sentence? (2) What effect does *Blakely* have on a trial court's imposition of consecutive sentences?

## **DISPOSITION**

**#02-196** *Review in McMeans v. Scripps Health, Inc., S109573*, was dismissed in light of *Parnell v. Adventist Health System/West* (2005) 35 Cal.4th 595.

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